Why Did The Imams Differ?

By: *Sheikh ul-Islam Ibn Taymiyyah*

This article is taken from the beginning of Shaikh ul-Islam's (r) treatise "Raf'-ul-Malaam 'an-il-A'immat-il-A'laam" (Removing the Harms from the Noble Imaams). In this treatise, the Shaikh (ra) discusses the reasons why the famous and righteous Imaams, that are followed by the masses of Muslims, differed in some issues and contradicted the established ahaadeeth of the Messenger of Allaah (s) in some cases. He lists over ten reasons in the introduction of this treatise. However this article only contains the first one. However, it is the most important one, as stated by Ibn Taimiyyah (ra). And it is for this reason, as the Shaikh says, that many of the Imaam's opinions, that contradict the Sunnah, can be explained and acknowledged. Thus, there is no deficiency on the part of our scholars. Rather, they were rewarded in their correctness as well as in their errors. May Allaah have mercy on them. The notes were taken from Zuhair Ash-Shaaweesh's comments and footnotes to this treatise, unless otherwise specified.

All praise is due to Allaah for His countless blessings. I bear witness that none has the right to be worshipped except Allaah, He stands alone and with no partners, whether on His earth or in His heavens. And I bear witness that Muhammad (s) is His slave, Messenger and the last of His prophets. May Allaah send His eternal peace and continuous blessings upon him, his family and his companions until the Day when we shall all meet Him.

To proceed:

It is binding upon the Muslims, after declaring loyalty to Allaah and his Messenger (s), to declare loyalty to the believers as is stated by the Qur'aan. This especially includes the scholars, for they are the inheritors of the prophets. And they are the ones whom Allaah has given the status of bearing the similitude of stars, throughwhich guidance is achieved in times of darkness, on land and on sea. The Muslims of this nation have agreed upon their guidance and their knowledge.

Before the advent of our Prophet (s), the scholars of every nation were the worst of its people. But this is not the case with the Muslims, for indeed their scholars are the best from among them. They are the delegated successors of the Messenger r in regards to his nation and they are the ones who revive what has been caused to die from his (s) Sunnah. It is through them that the Qur'aan is established and through it, they are established. Through them the Qur'aan is articulated and through it, they are articulated.

It must be known that there is not one scholar, who is accepted widely and willfully by the ummah, that purposely intends to oppose the Messenger of Allaah (s) in any aspect of his (ra) Sunnah, whether small or large. For indeed, they all agree on the obligation of following the Messenger r upon a firm and certain understanding. They also agree that one can accept or reject the statement of any individual from mankind, except that of the Messenger of Allaah (s). [1]

Therefore when it is found that an opinion, held by one of them, contradicts an authentic hadeeth, there is no doubt that excuses must be made for him, in explanation to his abandoning of it. These excuses can be divided into three

categories:

1. The lack of his believing that the Prophet (s) said it
2. The lack of his believing that particular issue was affected by that statement
3. His belief that that ruling was abrogated

These three categories can be subdivided into numerous reasons:

The First Reason: The Hadith Did Not Reach Him

Anyone that does not have a hadeeth reach him is not responsible for being knowledgeable about its obligation. Thus, if a hadeeth was not conveyed to him, and he formulated an opinion for that issue based on either the apparentness of an obligating ayah, another hadeeth, the necessity of Qiyaas or the need for Istishaab [2], then sometimes he may be in agreement with that hadeeth and at other times he may contradict it.

For the most part, it is due to this reason that many of the statements of the Salaf have gone in contradiction to the reports mentioned in some ahaadeeth. For certainly, it is not possible for anyone in this ummah to completely grasp (all) of the hadeeth of the Messenger of Allaah (s).

The Prophet (s) would narrate hadeeth, issue religious verdicts, pass judgements or conduct other matters, and whosoever was present there would hear him or see him. These people would then convey that (information) to other groups or to just some individuals whom they would reach. So knowledge of that affair would end up with whomsoever Allaah willed, from the scholars among the Sahaabah, the Taabi'een and those who came after them.

Then in another gathering, he s would again narrate hadeeth, issue religious verdicts, pass judgements or conduct other matters. And some of the people that were absent from the first gathering would witness it. They would then convey it to whomsoever they were able to convey it to. So these individuals would possess some knowledge that those people did not and those people would possess some knowledge that these individuals did not. And verily, the scholars among the Sahaabah and those after them were only distinguished from one another due to who possessed more knowledge or who bore its excellence. As for whether one single person can encompass all of the hadeeth of the Messenger of Allaah (s), then this claim is impossible.

An example of this is seen in the rightly guided khaleefahs, who were the most knowledgeable of the ummah concerning the affairs of the Messenger of Allaah (s), his Sunnah and his states of being. This is especially so with Abu Bakr As-Siddeeq (r) who never separated from the Prophet (s), whether he (s) was present or on a journey. Rather, he was with him the majority of the time, even to the point that he used to spend nights talking to him about the affairs of the Muslims. This goes the same for 'Umar Ibn Al-Khattaab (r), for the Prophet (s) would say many times:"Abu Bakr, 'Umar and I entered" and "Abu Bakr, 'Umar and I left"

In spite of this, when Abu Bakr (r) was asked on the inheritance of the grandmother, he (r) said: "There is nothing for you in the Book of Allaah nor have I learned of anything from the Sunnah of the Messenger of Allaah (s) that is for you. However, I will ask the people."So he asked them and Al

Mugheerah Ibn Shu'bah (r) and Muhammad Ibn Maslamah (r) stood up and testified "that the Prophet has given her a sixth (of the inheritance)." [3] This aspect of the Sunnah was conveyed to 'Imraan Ibn Husain (r), also.

These three individuals were not equal to Abu Bakr nor to any of the other (four rightly guided) khaleefahs in terms of knowledge. However, they were specifically characterized with knowledge of this Sunnah of which its acting upon has been agreed on by the ummah.

Likewise, 'Umar (r) did not know the Sunnah for asking permission to enter a household, until he was informed of it by Abu Moosaa Al-Asha'aree (r), who called on the Ansaar as witnesses. [5] This was even though 'Umar (r) possessed more knowledge than the one who told him of this aspect of the Sunnah.

Also, 'Umar (r) did not know that a woman was supposed to inherit from her (deceased) husband's blood money, but instead he held the opinion that the blood money belonged to the 'Aaqilah [6]. This was until Ad-Dahhaak Ibn Sufyaan Al-Kulaabee, who was a leader of some Bedouin Arabs (Al-Bawaadee) for the Messenger of Allaah (s), wrote to him and informed him that: "The Messenger of Allaah (s) gave the wife of Ashyam Ad-Dabaabee, inheritance from the blood money of her (deceased) husband." [7] So he abandoned his opinion in favor of that (hadeeth) and said: "Had we not heard of this, we would have ruled in opposition to it."

Also, he t did not know the regulations of the Majoos in regards to their payment of the jizyah (money tribute). This was until 'Abd-ur-Rahmaan Ibn 'Awf t informed him that the Messenger of Allaah r said: "Treat them like the people of the House (Ka'bah)." [8]

And when 'Umar arrived at Sargh [9] and news reached him that there was a plague in Shaam, he first sought counsel from the Muhaajireen that were with him, then from the Ansaar, then from the Muslims that were present at the Conquest (of Makkah). Everyone of them advised him (r) according to his own personal opinion and not one of them informed him of the Sunnah (in regards to this situation). This was until 'Abd-ur-Rahmaan Ibn 'Awf (r) arrived and informed him of the Sunnah of the Messenger of Allaah (s) concerning plagues and that he (s) said: "If it breaks out in a land while you are in it, then do not leave from it by fleeing. And if you hear news that it has broken out in a land, then do not go near it." [10]

And he (r) and Ibn 'Abbaas were reminded of what should be done when one has doubt in his prayer as to whether or not he has broken his ablution. And the Sunnah for that affair was not conveyed to him (r), until 'Abd-ur-Rahmaan Ibn 'Awf (r) informed him that the Prophet (s) would "Cast away all doubts and work upon that which he was certain of." [11]

And one time 'Umar (r) was on a journey when a wind began to blow violently, so he began to say: "Who will narrate to us a hadeeth concerning the wind?" Abu Hurairah (r) said: "News of this reached me while I was in the last rows of people (on the journey), so I hurried my riding animal until I reached him. Then I narrated to him, what the Prophet (s) commanded should be done at the time when the wind is blowing." [12]

In these instances, 'Umar did not have knowledge of these matters, until those who were not equal to him in terms of knowledge, conveyed it to him. In other instances, the aspect of the Sunnah (which he

did not know of) was not conveyed to him and so he ruled or gave a verdict in opposition to it. This is such as when he gave a ruling concerning the blood tribute to be paid for the (loss of one's) fingers; that they vary according to their uses. In spite of this, Abu Moosaa and Ibn 'Abbaas (r) , who were much lower than him in knowledge, knew that the Prophet (s) said: "This and this are equal" meaning the thumb and the little finger. [13] This aspect of the Sunnah was also conveyed to Mu'awiyah (r) during his leadership and so he judged according to it, and the Muslims found no other alternative but to follow that. So this hadeeth was not a sign of deficiency in 'Umar (r) , for the hadeeth did not reach him.

Also, he (r) as well as his son 'Abdullaah Ibn 'Umar and other righteous people used to forbid the muhrim (one in state of Ihraam) from putting on perfume, before going into the state of Ihraam and before the Ifaadah to Makkah, after the casting of the pebbles at 'Aqabah. And the hadeeth of 'Aa'ishah did not reach them in which she said: "I perfumed the Messenger of Allaah (s) for the occasion of his Ihraam before he performed it and for his hill (disembarking from the state of Ihraam), before he did tawaaf (circumambulating)." [14]

Likewise, he used to command the one who was wearing khuffs to wipe over them (during ablution), even if he had sandals on, without restricting a fixed period of time for doing it. Many of the Salaf followed him in that matter and they were not conveyed the ahaadeeth in which the time period (for its validity) is mentioned. And these ahaadeeth are authentically transmitted by some of the companions who were not of equivalent status to him in knowledge. Furthermore, information on this matter has been reported on the Messenger of Allaah (s) through numerous authentic narrations. [15]

The same goes for 'Uthmaan (r) for he did not possess knowledge that the woman whose husband passed away was to complete her 'iddah (waiting period) in her (deceased) husband's home. This was until he heard the hadeeth of Furai'ah Bint Maalik, the sister of Abu Sa'eed Al-Khudree, in regards to her situation when her husband died. And it was that the Prophet (s) told her: "Remain in your (husband's) home until the fixed period of time has been completed." So 'Uthmaan (r) based his opinion on this (hadeeth). [16]

And one time he was given some hunting game, which was caught just for his purpose, as a gift. So he was about to eat it, when 'Alee Ibn Abee Taalib (r) informed him that: "The Prophet (s) returned some meat that was presented to him as a gift." [17]

Similarly, 'Alee (r) said: "Whenever I heard a statement (hadeeth) come from Allaah's Messenger (s), Allaah benefited me with what He willed for me to benefit from it. However, when I heard a statement come from anyone else, I would make him take an oath on it, so if he would swear on it to me, I would then believe him. And once Abu Bakr related a hadeeth to me, and he spoke truthfully" Then he (r) mentioned the famous hadeeth of the prayer of repentance." [18]

Also he, 'Ibn 'Abbaas and others declared the ruling that the woman whose husband dies while she was pregnant, had to complete the longer of the two waiting periods. And the Sunnah of the Messenger of Allaah (s) concerning this matter in the case of Subai'ah Al-Aslamiyyah did not reach them. For when her husband, Sa'ad Ibn Khaulah (r), died, the Prophet (s) ruled that "her waiting period is to endure until she gives birth." [19]

Also, he (r) along with Zaid, Ibn 'Umar and others ruled that a women that is married to a man while

being in another land, if her husband dies, that she receives no dowry. In this example, the Sunnah of the Messenger of Allaah (s) concerning the case of Barwa' Bint Waashiq did not reach them. [20]

Discussion on this topic is extremely vast, such that the reports on the companions of the Messenger of Allaah (s) concerning it are numerous and many. As for the reports concerning its occurrence with other than them, from those who came after them, then taking account of all of them is impossible, for verily they reach the level of thousands. And it must be kept in mind that these four companions were the most knowledgeable, the most understanding, the most submissive and fearing, as well as the most virtuous from the entire ummah. And those who came after them are much lower than them in this regard, thus, it is more likely that some aspects of the Sunnah would be unknown to them. And this needs no explanation.

So whoever believes that every hadeeth that was conveyed to one of the Imaams or to one specific Imaam, is authentic, then he is mistaken. And that is a vile and detestable mistake.

And no one should say: "Indeed (all) the hadeeth were transcribed in books and collected, so how could it be hidden from anyone?" This statement is far from correct for indeed these transcription of ahaadeeth, which are well-known in the books of Sunnah, were only collected after the death and disappearance of these Imaams whom are followed by the people, may Allaah have mercy on them. In spite of this, it is not permissible for it to be claimed that all of the hadeeth of the Messenger of Allaah (s) are limited to certain specified books. And even if one were to limit all of the hadeeth of the Messenger of Allaah (s) to such, then still, everything that was in these books was not known to a scholar, nor can this be attained by anyone. Rather there would be with one man, many records of transcribed ahaadeeth and he would not be able to grasp all that was in them. Rather, the ones who existed before these books of transcribed ahaadeeth were collected, were much more knowledgeable of the Sunnah than those who came after them. This is because a lot of what was conveyed to them and considered authentic in their opinion, did not reach us except with a narrator that was unknown or with a cut chain of narration or it was not conveyed to us in its complete form. Thus the place where they would transcribe the ahaadeeth was in their hearts and there would be vast amounts of these recorded transcriptions held within them. This is one matter from the knowledge of legal rulings, of which there is no doubt.

And no one should say: "Anyone that doesn't know all of the ahaadeeth cannot be a mujtahid." This is because if it were a condition for a mujtahid to have knowledge of everything that the Prophet (s) said and did concerning matters related to rulings, then this ummah would never see this type of mujtahid. Indeed, the extent of a scholar is only: that he knows a majority or a great part of theahaadeeth, such that there does not remain anything unknown to him except for a few cases from the general whole. It is only then that these few cases from the general whole (that are unknown to him), can oppose what has reached and been conveyed to him from knowledge.

Footnotes

1.This is a saying that can be attributed to the Salaf, among them Imaam Maalik (ra).

2. Translators note: This term refers to the deducing of a verdict based on the lack of there being any

evidence to forbid it. This applies to only matters outside the field of belief and worship, such as business, family and social affairs. And Allaah knows best.

3. Al-Albaanee said in Irwaa-ul-Ghaleel (no. 1680): "It is reported by AbuDawood and At-Tirmidhee from the hadeeth of Qabeesah Ibn Dhu'aib in mursal form. It has different paths of narration that are all mursal, including the hadeeth of 'Imraan Ibn Husain."

5. Reported by Al-Bukhaaree in his Saheeh from Abu Sa'eed Al-Khudree (r). See Fath-ul-Baaree (11/43).

6. Translators Note: A group of people that saw to it that the blood money was properly dispersed and Allaah knows best.

7. Reported by Ahmad, Abu Dawood and At-Tirmidhee, who said it was a hasan saheeh hadeeth. See Irwaa-ul-Ghaleel (no. 2649)

8. Ash-Shaafi'ee reported it in his Musnad in mursal form and it has other paths of narration in mursal form with this same wording. Ahmad, Al-Bukhaaree, Abu Dawood and At-Tirmidhee reported from 'Umar (r) that: "He would not collect the jizyah (money tribute) from the Majoos until 'Abd-ur-Rahmaan Ibn 'Awf (r) bore witness that the Messenger of Allaah (s) took it from the Majoos of Hajr."

9. This is an area of land located in the last parts of Shaam and the first parts of Hijaaz, between Al-Mugheetha and Tabook.

10. Reported by Ahmad, Al-Bukhaaree and Muslim from 'Abd-ur-Rahmaan Ibn 'Awf (r)

11. Al-Albaanee said: "Ahmad, Muslim, Abu Dawood and At-Tirmidhee reported it, however it is from Abu Sa'eed Al-Khudree (r). As for the report of 'Abd-ur-Rahmaan Ibn 'Awf (r), then Ahmad, At-Tirmidhee and Ibn Maajah reported it with the wording: "If one of you should get doubt in his prayer, such that he does not know if he has prayed one or two (raka'ahs), then he should make it one..." And there is no mention of "casting away the doubts" and "building upon what one is certain of" as has been stated by the author, may Allaah have mercy on him.

12. Al-Albaanee said: "It is that which Muslim has reported in his Saheeh from 'Aa'ishah t that she said: "When the wind would blow violently, the Prophet (s) would say: "O Allaah, I ask You for the good of it, the good of what is found in it and the good of what You send with it. And I seek refuge in You from the evil of it, the evil of what is found in it and the evil of what You send with it." And it is what Abu Dawood and Ibn Maajah have reported on Abu Hurairah (r) that he heard the Messenger of Allaah (s) say:"The wind is form the spirit (rooh) of Allaah. It comes with mercy and it comes with punishment. So if you see it, then do not revile it. But (instead) ask Allaah for the good of it and seek refuge in Allaah from the evil of it." And it is a hasan saheeh hadeeth as has been stated by Al-Haafidh Ibn Hajr (ra).â"

13. Reported by Al-Bukhari, Abu Dawood, Ibn Maajah and An-Nasaa'ee from Ibn 'Abbaas (r)

14. An agreed upon hadeeth (i.e. reported by Al-Bukhaaree and Muslim).

15. Al-Albaanee said: "Ahmad and Muslim reported it from the hadeeth of 'Alee (r). And Ahmad, Abu Dawood and At-Tirmidhee reported it form the hadeeth of Khuzaimah Ibn Thaabit (r). And it has been reported from the hadeeth of Safwaan Ibn 'Assaal t by An-Nasaa'ee, At-Tirmidhee and Ibn Khuzaimah, and the last two authenticated it. Ad-Daaraqutnee reported it and authenticated it, as did Ibn Khuzaimah from the hadeeth of Abu Bakrah (r). These ahaadeeth provide evidence for the time period of wiping over the footwear, which is one day and one night for the resident and three days and three nights for the traveler. At-Tirmidhee said: "This is the opinion of the scholars from the Companions of the Prophet r as well as those that came after them from the Fuqahaa. "

16. The compilers of the Sunans reported this and At-Tirmidhee, Ibn Hibbaan, Al-Haakim and others authenticated it. It is from the hadeeth of Furai'ah Bint Maalik (r). See Al-Musnad (6/370).

17. Reported by Ahmad in Al-Musnad (1/100 & 104)

18. Al-Albaanee said:"Ahmad, Abu Dawood, At-Tirmidhee and Ibn Maajah reported that Abu Bakr (r) heard the Messenger of Allaah (s) say: "There is no person that commits a sin, then performs ablution and perfects his ablution. Then he prays two raka'ahs and thereafter asks Allaah for forgiveness, except that Allaah will forgive him." Then he (s) recited this ayah: 'And those who when they commit evil acts or they wrong themselves, remember Allaah and askforgiveness for their sins. And who forgives sins, except Allaah. And they do not persist on what they do, while knowingly. These are the ones whose reward will be forgiveness from their Lord and gardens under which rivers flow, to abide therein forever. And how great is the reward of those who do (good) deeds."' [Surah Aali 'Imraan 135-136] Al-Haafidh Ibn Hajr said that this hadeeth has a good chain of narration."

19. Reported by Al-Bukhaaree, Muslim, Abu Dawood and Ibn Maajah with close and similar wordings.

20. Reported by Imaam Ahmad and the compilers of the Sunans. At-Tirmidhee authenticated it. And her husband was Hilaal Ibn Murrah Al-Ashja'ee